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**Eureka County  
Yucca Mountain Information Office**

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Eureka, Nevada 89316  
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RECEIVED

AUG 14 2001

August 10, 2001

Jane R. Summerson, EIS Document Manager  
Yucca Mountain Site Characterization Office  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
P.O. Box 30307, M/S 010  
North Las Vegas, NV 89036-0307

**RE: Supplement to the Draft Environmental Impact Statement for a Geologic Repository  
for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca  
Mountain, Nye County, Nevada**

\*Dear Dr. Summerson:

The comments in this letter are the official comments by Eureka County, Nevada on the Supplement to the Draft Environmental Impact Statement for a repository at Yucca Mountain (SDEIS).

We are submitting these comments as an "affected unit of local government" pursuant to the Nuclear Waste Policy Act as amended, and in accordance with the requirements of the National Environmental Policy Act (NEPA).

1 As stated in our letter to Dr. Dyer on July 12, 2001, (copy and response attached) we appreciate the additional review time provided to us in DOE's letter of June 22, 2001, but we believe that comments of the public and all interested parties should be accepted through the August 13, 2001, deadline in the interest of fairness, consistency, to avoid confusion, and to ensure full participation in the comment process.

Our comments on the SDEIS are as follows:

2 1. It is unfortunate that DOE did not choose to address any of the thousands of comments it received on the DEIS, including those calling for a full and adequate transportation analysis, in the Supplement. It appears that DOE's reason for preparing this SDEIS is due to the "evolution" of the design of the repository. DOE has again failed to provide the comprehensive analysis that spent fuel storage demands because of its hazards, longevity, complexity, and national implications.

- 3 In our DEIS comments, we called upon DOE to issue a new draft EIS containing detailed transportation information concerning mode, route and corridors. The DEIS is insufficient for decision making on transportation; the Supplement does nothing to address that obvious lack.
- 4 Other deficiencies identified in DEIS comments and still not addressed include the lack of thorough analysis of socioeconomic impacts of the Yucca Mountain project on Nevada and all communities on transportation routes, and inadequate analysis of cumulative impacts.
- 5 2. Eureka County is in agreement with the State of Nevada which stated in its SDEIS comments that, "The Supplement, like the Draft EIS, fails to identify the cross-country rail and highway routes evaluated by DOE contractors in Chapter 6 and Appendix J of the DEIS. DOE did not release national maps of these routes until February 1, 2000 . . ." The release of the maps was more than five months into the document review period and after many of the public hearings had been held. The transportation maps should have been included in the Supplement.
- 6 3. The continuing evolving design of the repository does not allow for the presentation of alternative repository design descriptions as required in the Secretary of Energy's basis for site recommendation. Instead, the Supplement describes a range of possible design features and operational modes that do not reflect the intent of the Nuclear Waste Policy Act which is to describe actual alternative repository designs.

The DEIS Supplement is insufficient because it fails to provide a specific description of alternatives for how the Proposed Action "to construct, operate and monitor and eventually close a geologic repository at Yucca Mountain" could be accomplished. Instead the flexible design alternatives presented are so broad that they cannot be construed as specific descriptions of alternatives. This is equivalent to presenting a restaurant patron with a list of all ingredients in the kitchen and expecting them to know what dishes are on the menu.

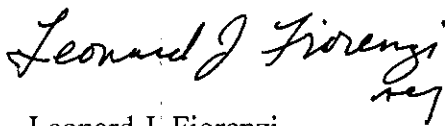
- 7 4. The Supplement states, "DOE invites comments on its intention not to address the Draft EIS design in the Final EIS." Certainly, even as the design is evolving, the design described in the DEIS is an alternative which should be considered as part of the full scope of bounding alternatives. It would be very helpful to the public to have the draft EIS design addressed in the Final EIS to understand why it is no longer being considered by DOE.
- 8 5. Eureka County is especially interested in the Supplement's option for a low temperature operating mode which would require a fuel blending inventory at the site to allow for blending of hotter spent nuclear fuel with cooler fuel to maintain the waste package temperature at 85 degrees C or less. The surface aging facility is the functional equivalent of an interim storage facility or monitored retrievable storage (MRS) facility. The co-location of a repository and an MRS is specifically prohibited by the Nuclear Waste Policy Act.
- 9 We are also concerned that the SDEIS did not adequately address the transportation implications of shipping hotter fuel sooner. This is a significant oversight that renders the Supplement as deficient as the original DEIS.
- 10 6. In light of the effects on transportation, the cumulative impacts analysis should be re-evaluated. As it is now, the cumulative impacts analysis is not sufficient.

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In summary, reviewing the conclusions in Eureka County's DEIS comments, it is clear that the Supplement has not addressed our basic concerns:

- 11 The DEIS and its Supplement are inadequate to support a decision on modes, routes or corridors for the transportation of spent nuclear fuel and high-level waste to Yucca Mountain. Disclosure of transportation impacts must not be postponed.
- 12 The DEIS and its Supplement must include a realistic no-action alternative, and evaluate that alternative fairly, using consistent assumptions.
- 13 DOE must carefully reconsider the regions of influence and draw them broadly, to reflect the unique nature and vast risks of the proposed action. This should have been addressed in the Supplement.
- 14 DOE must re-analyze and disclose the environmental impacts of the proposed action, particularly its transportation aspects.
- 15 Finally, to paraphrase our concluding DEIS comments, since the DEIS and its Supplement are inadequate in so many respects, especially regarding transportation, the DOE must issue a new, revised DEIS and give the public new opportunities to comment including public hearings.
- 16 **We request that, prior to site recommendation and prior to the required public "consideration hearings," DOE release the Final EIS and the comment response document so that the public may understand how DOE responded to its comments on the DEIS and supplement.** We look forward to the Department of Energy's responses to these comments and those previously provided on the Draft EIS.

Sincerely,



Leonard J. Fiorenzi  
Nuclear Waste Director  
Eureka County

cc: Eureka County Commissioners  
Abby Johnson  
AULGs  
Nevada Agency for Nuclear Projects

Attachments

**Eureka County  
Yucca Mountain Information Office**

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July 12, 2001

J. Russell Dyer  
Project Manager  
U.S. Department of Energy  
Office of Civilian Radioactive Waste Management  
Yucca Mountain Site Characterization Office  
P.O. Box 30307  
North Las Vegas, NV 89036-0307

RE: Comment Extension for Supplemental Draft EIS on Yucca Mountain

Dear Dr. Dyer:

The Eureka County Yucca Mountain Information Office is in receipt of your letter dated June 22, 2001 concerning an extension of the comment period on the document referenced above. The purpose of this letter is to acknowledge the extension, and to let you know that Eureka County will be taking advantage of the additional time to prepare its comments.

We believe comments of the public and all interested parties should be accepted through the new August 13, 2001 deadline, even if they were not on the lost list.

Nevertheless we appreciate the additional review time, and expect to submit the comments of Eureka County to Dr. Summerson by August 13, 2001 for the Department of Energy's consideration.

Sincerely,



Abigail C. Johnson  
Nuclear Waste Advisor

cc: Leonard Fiorenzi  
Dr. Jane Summerson



**Department of Energy**  
**Office of Civilian Radioactive Waste Management**  
**Yucca Mountain Site Characterization Office**  
**P.O. Box 30307**  
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QA: N/A

JUL 25 2001

Ms. Abigail C. Johnson  
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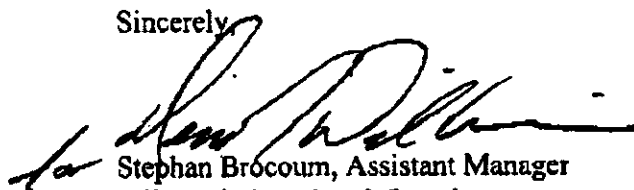
Dear Ms. Johnson:

This letter is in response to your correspondence to J. Russell Dyer dated July 12, 2001, on the extension of the comment period for the *Supplement to the Draft Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada*.

Your request that the comment period be extended for all parties is acknowledged, but the current schedules will remain as established.

Your comments will be addressed in the Comment Response Document, which will accompany the Final Environmental Impact Statement. We appreciate you taking the time to share your comments with us and for participating in the public comment process.

Sincerely,

  
Stephan Brocoun, Assistant Manager  
Office of Licensing & Regulatory  
Compliance